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CHIRON CORPORATION
INTELLECTUAL PROPERTY LAW DEPT.
PO BOX 8097
EMERYVILLE CA 94662

In re Application of
John McCafferty et al
Serial No.: 09/726,219
Filed: November 28, 2000
Attorney Docket No.: 213839-00013

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: PETITION DECISION
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This is a response to the renewed petition under 37 CFR 1.59(b), filed December 22, 2003, to expunge information from the above identified application. The application has now been allowed.

Petitioner requests that certain documents submitted as part of an Information Disclosure Statement are proprietary and constitute a Proprietary Information Disclosure. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid. In applicants' previous petition it was unclear as to which specific documents contained in the IDS were proprietary material to be returned. The application has now been allowed and the documents found not to affect the determination of patentability.

The petition is **GRANTED**. The expunged documents are returned herewith.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at 703872-9306.

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Director, Technology Center 1600